

JUDGE THOMAS O. RICE

Braden Pence, WSBA #43495  
Joe Shaeffer, WSBA #33273  
Mika Rothman, WSBA #55870  
MacDonald Hoague & Bayless  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104-1745  
Phone: 206-622-1604

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON AT SPOKANE

JAMES LEIGHTY,

Plaintiff,

v.

SPOKANE COUNTY, a municipal  
corporation; SHERIFF JOHN NOWELS,  
an individual; and SPOKANE COUNTY  
SHERIFF'S OFFICE, a subdivision of a  
municipal corporation,

Defendants.

No. 2:24-cv-00165-TOR

DECLARATION OF JAMES  
LEIGHTY IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION

NOTED: JUNE 24, 2024

*WITHOUT ORAL ARGUMENT*

I, James Leighty, declare as follows:

1. I am over the age of 18, and am competent to testify.
2. I am a U.S. Army veteran, employed full-time, Spokane resident, and police accountability activist. I advocate for training, transparency, and accountability for law enforcement to redress and prevent fatal and harmful law enforcement violence. In that capacity, I have attended and organized events,

DECLARATION OF JAMES LEIGHTY IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION - 1  
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MACDONALD HOAGUE & BAYLESS  
705 Second Avenue, Suite 1500  
Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

1 spoken to media, and interacted with local government and law enforcement  
2 entities. I also follow local law enforcement social media accounts and respond to  
3 their posts. This has become a primary way that I interact with law enforcement  
4 agencies, and an effective and efficient way to make my voice heard.

5 3. I came to this work from personal tragedy. In 2017, my good friend  
6 Craig Johnson was shot and killed at his home in Idaho by Sheriff's deputy.

7 4. After Craig's death, I began closely following law enforcement  
8 agency social media accounts, including the Spokane County Sheriff's Office. I  
9 began commenting on the Sheriff's posts, and replying to comments posted there  
10 by other Facebook users. I did this to raise awareness within the Sheriff's office  
11 and with the public, and to contextualize the information the Sheriff was posting to  
12 Facebook.

13 5. On March 17, 2021, SCSO posted on its Facebook page, announcing  
14 the hiring of a new deputy. On the same day, I commented on the post, and noted  
15 that this newly hired deputy was involved in a fatal officer-involved shooting in  
16 her previous position with the Cheney Police Department. A few days later, I  
17 viewed the SCSO Facebook page while logged out of my personal account and  
18 saw that my comment was no longer visible. Other comments supporting the new  
19 deputy remained visible. **Exhibit 1** is a true and correct copy of a screenshot of the  
20 post from the SCSO Facebook page showing SCSO had removed my comment.  
21 When I logged into Facebook with my personal account, my comment was visible.  
22 **Exhibit 2** is a true and correct copy of a screenshot showing my comment visible  
23 to me while logged into my personal account.

DECLARATION OF JAMES LEIGHTY IN SUPPORT OF  
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1           6.     On March 23, 2021, SCSO posted on its Facebook page, announcing  
2 no charges would be filed against a SCSO deputy who fatally shot an elderly  
3 woman experiencing a mental health crisis. I commented on the post, questioning  
4 the deputy's tactics and mourning the loss of life. A few days later, I viewed the  
5 SCSO Facebook page while logged out of my personal account and saw that my  
6 comment was no longer visible. Other comments supporting the new deputy  
7 remained visible. **Exhibit 3** is a true and correct copy of a screenshot of the post  
8 from the SCSO Facebook page showing SCSO had removed my comment. When I  
9 logged into Facebook with my personal account, my comment was visible. **Exhibit**  
10 **4** is a true and correct copy of a screenshot showing my comment visible to me  
11 while logged into my personal account.

12           7.     On March 26, 2021, I sent an email to then-Sheriff Ozzie Knezovich  
13 alleging that SCSO had been censoring my comments on Facebook because they  
14 were critical of the Office. **Exhibit 5** is a true and correct copy of the email.  
15 Neither Sheriff Knezovich nor any other SCSO employee responded to my email.

16           8.     On October 6, 2021, SCSO posted on its Facebook page, sharing a  
17 link to a video of a press conference about a police shooting in Greenfield,  
18 Wisconsin. SCSO's post commented on the legitimate use of deadly force and  
19 criticized viewpoints that "some activists and those in the national media want you  
20 to believe." I wrote two comments on SCSO's post using my personal account. In  
21 my first comment, I quoted a SCSO Corporal's statement about holding police  
22 officers accountable and pointed out that many SCSO officers had not been held  
23 accountable for their wrongdoing. When I later logged out of my account and

1 viewed the post, my comment was not visible. I logged into my personal account  
2 and wrote a second comment pointing out that SCSO had hidden my first comment  
3 because of the viewpoint expressed in my comment. When I later viewed the post  
4 while logged out of my personal account, my second comment was not visible.  
5 **Exhibit 6** is a true and correct copy of a screenshot of my comments on the post,  
6 as viewed when I am logged in on my personal account. **Exhibit 7** is a true and  
7 correct copy of a screenshot of the comments on the post, as viewed when I am  
8 logged out of my personal account. I believe SCSO removed my comments  
9 because they did not agree with the viewpoint expressed.

10 9. On October 19, 2023, SCSO posted on its Facebook page, announcing  
11 an arrest of a suspect following a long search. On the same day, I wrote a comment  
12 which questioned how quickly SCSO had made the arrest and noted that Sheriff  
13 Nowels previously stated that arrests should only be made after a thorough,  
14 complete, and unbiased investigation. **Exhibit 8** is a true and correct copy of a  
15 screenshot of my comment on the post. I later viewed the SCSO Facebook page  
16 while logged out of my personal account. The comment was not visible. **Exhibit 9**  
17 is a true and correct copy of a screenshot of the post showing my comment had  
18 been removed. I believe SCSO removed my comment because they did not agree  
19 with the viewpoint it expressed.

20 10. On October 26, 2023, SCSO posted on its Facebook page, announcing  
21 a search and arrest of a drug trafficking suspect. On the same day, I wrote a  
22 comment which questioned how quickly SCSO had made the arrest and noted,  
23 again, that Sheriff Nowels had stated that arrests should only be made after a



1 thorough, complete, and unbiased investigation. **Exhibit 10** is a true and correct  
2 copy of a screenshot of my comment on the post, as viewed when I was logged  
3 into my personal account. I later viewed the SCSO post while logged out of my  
4 personal account. My comment was no longer visible. **Exhibit 11** is a true and  
5 correct copy of a screenshot of the post showing my comment had been removed. I  
6 believe SCSO removed my comment because they did not agree with the  
7 viewpoint it expressed.

8 11. On February 21, 2024, SCSO posted on its Facebook page,  
9 announcing an internal investigation into SCSO Deputy Clay Hilton for assaulting  
10 a Spokane resident during an arrest – but only after the Spokane Police Department  
11 had recommended criminal charges. I wrote a comment which criticized SCSO for  
12 waiting until the conclusion of the Spokane Police Department’s investigation to  
13 begin its own internal investigation. **Exhibit 12** is a true and correct copy of a  
14 screenshot of my comment on the post. I later viewed the SCSO post while logged  
15 out of my personal account. My comment was no longer visible. **Exhibit 13** is a  
16 true and correct copy of a screenshot of the post showing my comment had been  
17 removed. I believe SCSO removed my comment because they did not agree with  
18 the viewpoint it expressed.

19 12. On March 20, 2024, SCSO posted on its Facebook page, announcing  
20 an investigation into a civilian shooting that occurred the same day and providing  
21 “initial information” about the shooting. I wrote a comment on SCSO’s post,  
22 questioning the speed of SCSO’s announcement in contrast to the many months  
23 that SCSO waited before providing information about an incident in which SCSO

1 deputies shot and killed a civilian, and before launching an investigation into  
2 Deputy Hilton. **Exhibit 14** is a true and correct copy of a screenshot of my  
3 comment on the post. I later viewed the SCSO Facebook page while logged out of  
4 my personal account. My comment was no longer visible. **Exhibit 15** is a true and  
5 correct copy of a screenshot of the post showing my comment had been removed. I  
6 believe SCSO removed my comment because they did not agree with the  
7 viewpoint it expressed.

8 13. On May 8, 2024, SCSO posted on its Facebook page, announcing the  
9 conviction and sentence of an individual arrested for murder. I wrote a comment  
10 on SCSO's post, asking when an SCSO deputy who had attacked an elderly man  
11 during an arrest would be charged. I later replied to another user's comment,  
12 expressing sympathy for the murder victim's family and explaining that I wished  
13 SCSO would treat violence committed by their deputies as seriously as it treated  
14 violence committed by civilians. **Exhibit 16** is a true and correct copy of a  
15 screenshot of my two comments on the post. I later viewed the SCSO Facebook  
16 page while logged out of my personal account. My comment was no longer visible.  
17 **Exhibit 17** is a true and correct copy of a screenshot of the post showing my  
18 comment had been removed. I believe SCSO removed my comment because they  
19 did not agree with the viewpoint it expressed.

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DECLARATION OF JAMES LEIGHTY IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION - 6  
No. 2:24-cv-00165-TOR

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Seattle, Washington 98104  
Tel 206.622.1604 Fax 206.343.3961

1 I declare under penalty of perjury of the laws of the United States of  
2 America and the State of Washington that the foregoing is true and correct.

3  
4 DATED this 16 day of May, 2024, at Spokane, Washington.

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6  
7 *James Leighty*

8 James Leighty

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DECLARATION OF JAMES LEIGHTY IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION - 7  
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**CERTIFICATE OF SERVICE**

I certify that on the date noted below I electronically filed this document entitled **Declaration of James Leighty in Support of Plaintiff's Motion for Preliminary Injunction** with the Clerk of the Court using the CM/ECF system.

DATED this 16th day of May, 2024, at Seattle, Washington.

/s/ Olivia Doolan

Olivia Doolan, Legal Assistant





# 03-1. Plaintiff's Dec. of J. Leighty ISO Plaintiffs Motion for PI

Final Audit Report

2024-05-16

Created:	2024-05-16
By:	Mika Rothman (mika@mhb.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAy7Vv23g_WOV98yz4NjJlnTycGWCaN7ML

## "03-1. Plaintiff's Dec. of J. Leighty ISO Plaintiffs Motion for PI" History

-  Document created by Mika Rothman (mika@mhb.com)  
2024-05-16 - 8:58:38 PM GMT
-  Document emailed to James Leighty (theleighty@comcast.net) for signature  
2024-05-16 - 8:58:53 PM GMT
-  Email viewed by James Leighty (theleighty@comcast.net)  
2024-05-16 - 9:22:38 PM GMT
-  Document e-signed by James Leighty (theleighty@comcast.net)  
Signature Date: 2024-05-16 - 9:23:43 PM GMT - Time Source: server
-  Agreement completed.  
2024-05-16 - 9:23:43 PM GMT



Adobe Acrobat Sign

# EXHIBIT 1

## TO DECLARATION OF JAMES LEIGHTY


**Spokane County Sheriff's Office**

March 17 at 2:18 PM · 🌐

Spokane County Sheriff's Office Welcomes a New Lateral Deputy

On Tuesday morning, March 16, 2021, Spokane County Sheriff Ozzie Knezovich swore in one new Lateral Deputy.

Deputy Nicole Burbridge is a 29-year-old Lateral Deputy hire. She previously served with the Cheney Police Department as a patrol officer since January 2018. Deputy Burbridge is a Spokane native who attended Central Valley High School and North Central High School.

Please join us in welcoming her to the Spokane County Sheriff's Office.

###

#Hiring #Deputy #Lateral #LawEnforcement #Career #Washington #Idaho #Oregon #California #Arizona #Portland #Seattle #Montana #Denver #Colorado #BacktheBlue #LivePD #Cops #JoinUs



👍❤️😬 223

20 Comments 16 Shares

🔗 Share

All Comments ▾



**Loran Vickie Ybarra** Short Welcome! Thank you for wanting to serve and protect our Community. Please stay safe. 💙

2d

👍 2

# EXHIBIT 2

## TO DECLARATION OF JAMES LEIGHTY





## Spokane County Sheriff's Office

@SpokaneCountySheriffsOffice · Law Enforcement Agency

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Spokane County Sheriff's Office

March 17 at 2:18 PM · 🌐

Spokane County Sheriff's Office Welcomes a New Lateral Deputy

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Deputy Nicole Burbridge is a 29-year-old Lateral Deputy hire. She previously served with the Cheney Police Department as a patrol officer since January 2018. Deputy Burbridge is a Spokane native who attended Central Valley High School and North Central High School.

Please join us in welcoming her to the Spokane County Sheriff's Office.

###

#Hiring #Deputy #Lateral #LawEnforcement #Career #Washington #Idaho #Oregon #California #Arizona #Portland #Seattle #Montana #Denver #Colorado #BacktheBlue #LivePD #Cops #JoinUs



👍❤️😄 You, Anwar Peace, Charlotte Lester and 220 others

20 Comments 16 Shares

Angry

Comment

Share

All Comments ▾



Write a comment...

😊👍🙏



JD Leighty

Holy cow! Are you kidding me! She is the reason that Steven Anderson was killed in Cheney in 2018. She put herself in close proximity of Steven when he was having a mental health crisis. That is when Burbridge and the officers began firing on Steven. T... See More

...



DRIVE.GOOGLE.COM

Steven Anderson - Google Drive

Like · Reply · Remove Preview · 2d

3



Loran Vickie Ybarra Short

Welcome! Thank you for wanting to serve and protect our Community. Please stay safe. ❤️

Like · Reply · 2d

2

# EXHIBIT 3

## TO DECLARATION OF JAMES LEIGHTY


**Spokane County Sheriff's Office**

March 23 at 3:57 PM · 🌐

**FOR IMMEDIATE RELEASE:**
**No Criminal Charges in December 2020 Officer Shooting**

SPOKANE COUNTY, March 23, 2021 – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. Justin White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the jail lobby. As White attempted to back away from her, King ignored White's commands to drop the weapon.

At approximately 4:59pm on the afternoon of December 4, 2020, Spokane Police were dispatched to the Ramada Inn at 923 E. 3rd Ave., Spokane, on a report of a bomb threat against the Frontier Behavioral Health building at 505 E. North Foothills Dr. While Spokane Police were investigating the call, a second bomb threat was called in at 6:59pm against the Emergency Room at Deaconess Hospital in Spokane. Both calls were determined to have originated at the Ramada Inn, Room #101. The only registered guest in that room was Nancy J. King. In at least one of the calls, King identified herself as the caller. However, King would not open the door to investigating officers. King was seen departing the Inn by a Ramada employee at approximately 7:15pm on the same evening. Believing there was a possible mental health issue, Spokane Police had earlier requested a Designated Crisis Responder but the request was denied.

As investigators reviewed their options, at approximately 7:44pm on December 4, 2020, an individual later identified as Nancy King, entered the outer doors of the foyer at the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked to due COVID restrictions. Despite being told that the lobby was closed,

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility cashier employee requested assistance from a Sergeant. Corrections Sgt. Justin White responded to speak with King.

As White neared the locked inner doors, he signaled to the cashier to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped backwards into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until shots were fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests determined that King's blood ethanol level was .12 and she also tested at .15 mg/L for Citalopram.

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had



Citalopram.

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had an objective good faith belief in the correctness of his actions and that he was acting pursuant to RCW 9A.16.040. Therefore, no criminal charges will be filed against Sgt. White in this matter.



## News Release

CONTACT: Jared W.  
Public Policy and Communications Manager  
Office: (509) 477-  
[jared@spokanecounty.gov](mailto:jared@spokanecounty.gov)

[www.spokanecounty.gov](https://www.spokanecounty.gov)

IMMEDIATE RELEASE:

### No Criminal Charges in December 2020 Officer Shooting

SPOKANE COUNTY, March 23, 2021 – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the lobby. As White attempted to back away from her, King ignored White's demands to drop the weapon.

At approximately 4:59pm on the afternoon of December 4, 2020, Spokane Police were dispatched to the Ramada Inn at 923 E. 3rd Ave., Spokane, on a report of a bomb threat against the Frontier Behavioral Health building at 505 E. North Foothills Dr. While Spokane Police were investigating the call, a second bomb threat was called in at 6:59pm to the Emergency Room at Deaconess Hospital in Spokane. Both calls were determined to have originated at the Ramada Inn, Room #101. The only registered guest at that room was Nancy J. King. In at least one of the calls, King identified herself as a mental health patient. However, King would not open the door to investigating officers. King was seen entering the Inn by a Ramada employee at approximately 7:15pm on the same evening. Given there was a possible mental health issue, Spokane Police had earlier requested a designated Crisis Responder but the request was denied.

As investigators reviewed their options, at approximately 7:44pm on December 4, an individual later identified as Nancy King, entered the outer doors of the foyer of the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked due to COVID restrictions. Despite being told that the lobby was closed,

(continued)

Page 3 of 3

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility volunteer employee requested assistance from a Kingpin. Corrections Sgt. Justin White responded to speak with King.

As White opened the locked inner doors, he signaled to the volunteer to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped back into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until she was fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests determined that King's blood ethanol level was .13 and she also tested at .15 mg/L for Citalopram.

Page 3 of 3

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had an objective good faith belief in the correctness of his actions and that he was acting pursuant to RCW 9A.16.040. Therefore, no criminal charges will be filed against Sgt. White in this matter.

About Spokane County

Spokane County government serves over half a million citizens and 13 municipal jurisdictions making it the fourth largest county in the State of Washington. For more information, visit [www.spokanecounty.gov](https://www.spokanecounty.gov). We're on Facebook or follow us on Twitter.

#4710

75

40 Comments 4 Shares

Share

All Comments



**Carey James Justin** Plus this Sgt. Will have to live with this for the rest of his life. Sgt. White, let me express my greatest appreciation to you, as well as your brothers and sisters in service. I'm sure we can all understand the true fact that every day you put your Badge and Gun on that you may not return to your families the following night or day. Thank you.

2d



7



**Jack Raymos Jr.** Never should have made it through the door but people are so worried about what society thinks he could not do what was best for all in the first place this world is going to hell

2d



## EXHIBIT 4

## TO DECLARATION OF JAMES LEIGHTY



**Spokane County Sheriff's Office**

March 23 at 3:57 PM · 🌐

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**FOR IMMEDIATE RELEASE:**

**No Criminal Charges in December 2020 Officer Shooting**

SPOKANE COUNTY, March 23, 2021 – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. Justin White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the jail lobby. As White attempted to back away from her, King ignored White's commands to drop the weapon.

At approximately 4:59pm on the afternoon of December 4, 2020, Spokane Police were dispatched to the Ramada Inn at 923 E. 3rd Ave., Spokane, on a report of a bomb threat against the Frontier Behavioral Health building at 505 E. North Foothills Dr. While Spokane Police were investigating the call, a second bomb threat was called in at 6:59pm against the Emergency Room at Deaconess Hospital in Spokane. Both calls were determined to have originated at the Ramada Inn, Room #101. The only registered guest in that room was Nancy J. King. In at least one of the calls, King identified herself as the caller. However, King would not open the door to investigating officers. King was seen departing the Inn by a Ramada employee at approximately 7:15pm on the same evening. Believing there was a possible mental health issue, Spokane Police had earlier requested a Designated Crisis Responder but the request was denied.

As investigators reviewed their options, at approximately 7:44pm on December 4, 2020, an individual later identified as Nancy King, entered the outer doors of the foyer at the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked to due COVID restrictions. Despite being told that the lobby was closed,

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility cashier employee requested assistance from a Sergeant. Corrections Sgt. Justin White responded to speak with King.

As White neared the locked inner doors, he signaled to the cashier to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped backwards into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until shots were fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests determined that King's blood ethanol level was .12 and she also tested at .15 mg/L for Citalopram.

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## News Release

CONTACT: Jared White  
Public Policy and Communications Manager  
Office: (509) 477-1111

[jwhite@spokanecounty.org](mailto:jwhite@spokanecounty.org)

IMMEDIATE RELEASE

### No Criminal Charges in December 2020 Officer Shooting

**SPOKANE COUNTY, March 23, 2021** – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. Justin White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the jail lobby. As White attempted to back away from her, King ignored White's demands to drop the weapon.

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As investigators reviewed their options, at approximately 7:44pm on December 4, an individual later identified as Nancy King, entered the outer doors of the foyer of the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked due to COVID restrictions. Despite being told that the lobby was closed,

(continued)

No Criminal Charges in December 2020 Officer Shooting (Continued)  
Page 2-2-2

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility cashier employee requested assistance from a Sergeant. Corrections Sgt. Justin White responded to speak with King.

As White opened the locked inner door, he signaled to the cashier to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped backwards into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until shots were fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests

No Criminal Charges in December 2020 Officer Shooting (Continued)  
Page 3-3-3

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had an objective good faith belief in the correctness of his actions and that he was acting pursuant to RCW 9A.16.040. Therefore, no criminal charges will be filed against Sgt. White in this matter.

**About Spokane County**  
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--- 888 ---

75

40 Comments 4 Shares

Like

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Most Relevant ▼



Write a comment...



JD Leighty

Officer Justin White failed at so many levels at keeping our community safe. What are you going to do to address the fact that he allowed a secured location to become unsecured by having the security door opened? This alone should be reason for termination.

White also ignored all de-escalation training. He eliminated the advantage of time, distance, and cover due to his panicked actions. Because of this, he lost the ability to communicate effectively in order to de-escalate.

He allowed a person who was experiencing a mental health issue access to a secured area causing multiple people to be put in danger.

I would like to also know how you are going to address the fact that the uses of a mental health crisis team was denied.

Haskell might have decided that this was "justified" but there is no doubt mistakes were made and because of those mistakes a life was taken. This cannot be ignored.

Like · Reply · 3h



Carey James Justin

Plus this Sgt. Will have to live with this for the rest of his life. Sgt. White, let me express my greatest appreciation to you, as well as your brothers and sisters in service. I'm sure we can all understand the true fact that every day you put your B... See More

Like · Reply · 2d

7

## EXHIBIT 5

## TO DECLARATION OF JAMES LEIGHTY



----- Original Message -----

From: theleighty@comcast.net

To: sheriff@spokanecounty.org

Cc: editor@inlander.com, shawnv@spokesman.com, emmae@spokesman.com,  
intake-counselor@aclu-wa.org

Date: 03/26/2021 1:47 PM PDT

Subject: Notice to discontinue censoring of social media comments

Dear Sheriff Knezovich,

I have discovered that your social media personnel have been censoring my comments on Facebook that they find critical of the Sheriff's Office. The ACLU of Washington sent out a letter to all Washington Lawmakers on November 28<sup>th</sup>, 2017, informing them that it is unconstitutional to delete or hide public comments on official government social media platforms. I have attached the letter for your reading.

The Spokane County Sheriff's Office policies are purchased from Lexipol. On January 28<sup>th</sup>, 2020, Lexipol published an article advising that law enforcement agencies do not hide or delete public comments from the agencies Facebook pages. If you would like to read it, it can be found at the following link:  
<https://www.lexipol.com/resources/blog/public-safety-facebook-pages-and-the-first-amendment/>

Censoring my comments is a violation of my constitutional rights, particularly the first amendment. The attached screenshots show several of my comments that have been hidden or deleted. I am asking that you immediately restore my comments to their original state and for you to issue a public apology stating that you will never hide or delete public comments from your social media pages

again.

Please let me know when my comments have been reinstated to your social media pages.

Thank you,

James Leighty  
(JD Leighty)

509-879-4179

Elisabeth S. Smith  
Legislative Director



November 28<sup>th</sup>, 2017

Dear Lawmakers:

On behalf of the ACLU of Washington, I write regarding complaints we have received alleging that certain Washington state lawmakers are unconstitutionally censoring and/or blocking constituents from social media pages on which they discuss policy and other matters related to their elected office, on the basis of the viewpoints of those constituents. The ACLU of Washington is an organization of over 75,000 members dedicated to protecting civil liberties for all in our state. We have consistently advocated to protect freedom of speech in public forums—whether that speech takes place in a physical “town square” or the modern-day equivalent, the virtual town square forums created via social media platforms such as Facebook and Twitter—and wish to remind lawmakers of the constitutional rules pertaining to such spaces.

Such virtual town squares are protected as limited public forums under the First Amendment. While lawmakers may reasonably regulate speech on such forums, they may not censor or block speakers based on those speakers criticizing or disagreeing with their viewpoints. Efforts by lawmakers to do so elsewhere have resulted in lawsuits.<sup>1</sup> We encourage all lawmakers to ensure they are avoiding such unconstitutional censorship, and to unblock users and restore content that may have been removed based on viewpoints expressed.

### **Social Media Platforms are the New Town Square**

Social media has become a recognized forum that enables government officials to communicate their messages to constituents, receive feedback from constituents, and foster debate about policies relating to the official work of those government officials. Courts have generally agreed with this characterization—for example, in its recent *Packingham* decision, the U.S. Supreme Court recognized that social media platforms like Facebook and Twitter provide “perhaps the most powerful mechanisms available to a private citizen to make his or her voice heard.”<sup>2</sup> The court went on to explain that these platforms have allowed citizens to “petition their elected representatives and otherwise engage with them in a direct manner,”<sup>3</sup> and acknowledged the large number of elected officials who had set up social media accounts to foster such direct engagement. Because government officials use them to allow public expression regarding official business—here, policy feedback and debate—by their constituents, such social media

<sup>1</sup> See, for example, *Knight First Amendment Institute at Columbia University et al v. Trump et al*, U.S. Dist. Ct., SDNY, No. 17-cv-5205 (NRB).

<sup>2</sup> *Packingham v. North Carolina*, 137 S. Ct. 1730, at 1737 (2017).

<sup>3</sup> *Id.*

AMERICAN CIVIL  
LIBERTIES UNION  
OF WASHINGTON  
901 5TH AVENUE, STE 630  
SEATTLE, WA 98164  
T/206.624.2184  
WWW.ACLU-WA.ORG

JEAN ROBINSON  
BOARD PRESIDENT

KATHLEEN TAYLOR  
EXECUTIVE DIRECTOR

pages are limited public forums, which are characterized by purposeful government action to make a forum accessible for the purpose of public expression.<sup>4</sup>

Social media platforms where public officials allow or invite feedback from the public are limited public forums regardless of whether they are actually designated as “government” accounts or “private” accounts. The test of whether a given Facebook page or Twitter account falls under the limited public forum rules is functional, rather than nominal. In other words, if a given social media account is used by a public official as a space to engage with the public and/or their constituents, and the public does, in fact, use that account for such purposes, it is immaterial whether the account is designated as “official” or not.<sup>5</sup> In practice, any page on which open constituent or public feedback is solicited by a public official is subject to First Amendment limited public forum rules.

### **Viewpoint-Based Censorship on Such Platforms Violates the First Amendment**

Where public officials have opened a limited public forum such as a Facebook page or Twitter account for the purpose of feedback on official policy or business, they cannot silence the speech of particular users simply because they disagree with their viewpoint.<sup>6</sup> A public official may retain the right to engage in some reasonable, content-based regulation of the speech to preserve the purpose of the limited public forum<sup>7</sup>—for example, limiting posts that stray from the topic at hand, are spam, or that use obscene or vulgar language or racial epithets. But viewpoint discrimination—for example, removing posts or blocking particular users entirely on the basis of the point of view expressed—is never permissible since it violates the First Amendment right to free speech.

Yet complaints we have received suggest that at least some lawmakers are engaging in exactly this kind of unconstitutional censorship. For example, particular posts expressing viewpoints critical of the way a given lawmaker does his or her job have simply been deleted by the administrator of the Facebook page at issue, making it invisible to other members of the public engaging in the policy debate at issue. In other instances, users have been blocked from a Facebook page entirely, limiting their ability both to see content posted by the lawmaker and to engage in the limited public forum’s policy debate by responding to that content.

In these instances, none of the speech that resulted in the censorship appears to deviate from the topic at hand, or to trigger any other restriction against impermissible content in this context (such as vulgar language, for example). This leads us to the conclusion that the lawmaker at hand and/or the administrators of his or her social media platform

---

<sup>4</sup> See, for example, *Davison v. Loudoun County*, 2016 WL 4801617 (E.D. Va. Sept. 14, 2016) and 2017 WL 58294 (E.D. Va. Jan. 4, 2017). In this case, a constituent sued a public official for deleting his comments from both an individual and an “official” Facebook page.

<sup>5</sup> *Id.* The Court held here that the same First Amendment standards apply to an “individual” page as an “official” one, given that the public officials in question were effectively inviting public comment on official business on both pages, rendering them limited public forums.

<sup>6</sup> See *Rosenberger v. Rector and Visitors of Univ. of Virginia*, 515 U.S. 819, 829 (1995).

<sup>7</sup> *Id.*



deleted particular posts and/or blocked particular individuals from participation based solely on the viewpoints expressed in those posts—a form of government censorship that violates the First Amendment.

**Lawmakers Should Review Their Use of Social Media and Restore Content and/or Unblock Users Who Were Unconstitutionally Censored**

Washington lawmakers are sworn to uphold our nation's Constitution, including its First Amendment free speech protections, which are vital to ensuring the vibrancy of our democracy. Where lawmakers invite their constituents and the public to engage with them on matters of concern to their elected office on a social media platform, they cannot then selectively censor certain voices from participating in that discussion simply because they disagree with their viewpoint.

Accordingly, all lawmakers should carefully review their use of social media platforms, whether nominally designated as personal/individual or official, to determine whether such platforms are subject to the limited public forum rules described above. Where such platforms meet that test, lawmakers should carefully review any content that has been removed and individuals who have been blocked to ensure that those actions were not taken on the basis of viewpoints expressed. And if there has indeed been viewpoint-based censorship, lawmakers should restore the content and unblock the individuals in question immediately. We would also be more than happy to engage with your offices to clarify acceptable parameters that preserve Constitutional freedoms in these important spaces for public discourse.

Thank you for your immediate action.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elisabeth S. Smith'.

Elisabeth S. Smith

cc: Governor Jay Inslee  
All Washington state lawmakers



## Spokane County Sheriff's Office

@SpokaneCountySheriffsOffice · Law Enforcement Agency

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Spokane County Sheriff's Office

March 17 at 2:18 PM ·

Spokane County Sheriff's Office Welcomes a New Lateral Deputy

On Tuesday morning, March 16, 2021, Spokane County Sheriff Ozzie Knezovich swore in one new Lateral Deputy.

Deputy Nicole Burbridge is a 29-year-old Lateral Deputy hire. She previously served with the Cheney Police Department as a patrol officer since January 2018. Deputy Burbridge is a Spokane native who attended Central Valley High School and North Central High School.

Please join us in welcoming her to the Spokane County Sheriff's Office.

###

#Hiring #Deputy #Lateral #LawEnforcement #Career #Washington #Idaho #Oregon #California #Arizona #Portland #Seattle #Montana #Denver #Colorado #BacktheBlue #LivePD #Cops #JoinUs



You, Anwar Peace, Charlotte Lester and 220 others

20 Comments 16 Shares

Angry

Comment

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All Comments



Write a comment...



JD Leighty

Holy cow! Are you kidding me! She is the reason that Steven Anderson was killed in Cheney in 2018. She put herself in close proximity of Steven when he was having a mental health crisis. That is when Burbridge and the officers began firing on Steven. T... See More



DRIVE.GOOGLE.COM

Steven Anderson - Google Drive

Like · Reply · Remove Preview · 2d



Loran Vickie Ybarra Short

Welcome! Thank you for wanting to serve and protect our Community. Please stay safe.

Like · Reply · 2d


**Spokane County Sheriff's Office**

March 17 at 2:18 PM · 🌐

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###

#Hiring #Deputy #Lateral #LawEnforcement #Career #Washington #Idaho #Oregon #California #Arizona #Portland #Seattle #Montana #Denver #Colorado #BacktheBlue #LivePD #Cops #JoinUs



👍❤️😬 223

20 Comments 16 Shares

🔄 Share

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**Loran Vickie Ybarra** Short Welcome! Thank you for wanting to serve and protect our Community. Please stay safe. 💙

2d

👍 2





## Gang Associated Violence Press Conference

Spokane Police Chief Craig Meidl and Spokane County Sheriff Ozzie Knezovich address the plague of gang-associated violence our community is facing and the cost of our young people's lives. This data encompasses all of 2020 and the first 2 months of 2021.

<https://youtu.be/KAbuOwFlbzQ>

YOUTUBE.COM



## Gang Associated Violence Press Conference

Spokane Police Chief Craig Meidl and Spokane County Sheriff Ozzie Knezovich address the pla...

👍👎😮 57

41 Comments 13 Shares

👍 Like

💬 Comment

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Write a comment...



**JD Leighty**

Do you just keep these in a folder called "Deflect"?

Let's get back to the homeowner your deputy shot after that homeowner called for help regarding a prowler?

Like · Reply · 1w

👍👎😮 6



Write a reply...



💎 Top Fan

**Laura Williams**

Moving the homeless folks from Portland, Seattle and other areas has brought all





Spokane County Sheriff's Office

March 8 at 6:13 PM · 🌐

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<https://youtu.be/KAbuOwFIbzQ>



YOUTUBE.COM

## Gang Associated Violence Press Conference

Spokane Police Chief Craig Meidl and Spokane County Sheriff Ozzie...

👍🥰👏 57

41 Comments 13 Shares

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**Annemarie Frohnhoefer** Could some of the SCSO budget go to these community groups that you are calling on to help you out? Also -- a better prrss conference for today might have been about why a civilian was shot by one of your deputies last night.

1w

👍🥰👏 5

↪ 23 Replies



🌐 Top Fan

**Laura Williams** Moving the homeless folks from Portland, Seattle



Spokane County Sheriff's Office

20h · 🌐

### Several Active SCAMS – Don't Be Duped

Spokane County Sheriff's Office has received reports of several active scams in our area. The most active appear to be the Social Security Scam, IRS Scam, and the "You have a warrant and must pay immediately" scam. Don't fall for these lies, do NOT provide personal information, banking information, or pay any "fee" under the fear of a threatening predatory scammer.

If the person contacting you is unsolicited, never provide any of ... [See More](#)



👍👎👤 16

2 Comments 15 Shares

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Write a comment...

😊 📺 🗨️



**Ron Runyon**

i get scam calls all the time pretending to be a major hotel trying to tell me ive won and ive messed with them so much they wont even talk to me after i press a button to talk to a live person any more

Like · Reply · 7h



**Isaac Jack Jr.**

Do scams ever involve insurance coverage or cremation issues?

Like · Reply · 19h

Write a comment...



Spokane County Sheriff's Office

20h · 🌐

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If the person contacting you is unsolicited, never provide any of ... See More



16

3 Comments 15 Shares

Like

Comment

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Write a comment...



JD Leighty

Can you address how many officer involved shootings your new hire Deputy Nicole Burbridge has been involved in? I know she was responsible for the death of Steven Anderson who was experiencing a mental health crisis at the time. Are there more?

...

Like · Reply · 1m



Ron Runyon

i get scam calls all the time pretending to be a major hotel trying to tell me ive won and ive messed with them so much they wont even talk to me after i press a button to talk to a live person any more

Like · Reply · 7h



Isaac Jack Jr.

Do scams ever involve insurance coverage or cremation issues?

Like · Reply · 19h

Write a comment...




**Spokane County Sheriff's Office**

March 23 at 3:57 PM · 🌐

**FOR IMMEDIATE RELEASE:**
**No Criminal Charges in December 2020 Officer Shooting**

SPOKANE COUNTY, March 23, 2021 – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. Justin White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the jail lobby. As White attempted to back away from her, King ignored White's commands to drop the weapon.

At approximately 4:59pm on the afternoon of December 4, 2020, Spokane Police were dispatched to the Ramada Inn at 923 E. 3rd Ave., Spokane, on a report of a bomb threat against the Frontier Behavioral Health building at 505 E. North Foothills Dr. While Spokane Police were investigating the call, a second bomb threat was called in at 6:59pm against the Emergency Room at Deaconess Hospital in Spokane. Both calls were determined to have originated at the Ramada Inn, Room #101. The only registered guest in that room was Nancy J. King. In at least one of the calls, King identified herself as the caller. However, King would not open the door to investigating officers. King was seen departing the Inn by a Ramada employee at approximately 7:15pm on the same evening. Believing there was a possible mental health issue, Spokane Police had earlier requested a Designated Crisis Responder but the request was denied.

As investigators reviewed their options, at approximately 7:44pm on December 4, 2020, an individual later identified as Nancy King, entered the outer doors of the foyer at the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked to due COVID restrictions. Despite being told that the lobby was closed,

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility cashier employee requested assistance from a Sergeant. Corrections Sgt. Justin White responded to speak with King.

As White neared the locked inner doors, he signaled to the cashier to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped backwards into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until shots were fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests determined that King's blood ethanol level was .12 and she also tested at .15 mg/L for Citalopram.

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had



Citalopram.

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## News Release

CONTACT: Jared W.  
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As investigators reviewed their options, at approximately 7:44pm on December 4, an individual later identified as Nancy King, entered the outer doors of the foyer of the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked due to COVID restrictions. Despite being told that the lobby was closed,

(continued)

Page 3 of 3

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Page 3 of 3

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3/23/21

75

40 Comments 4 Shares

Share

All Comments ▾



**Carey James Justin** Plus this Sgt. Will have to live with this for the rest of his life. Sgt. White, let me express my greatest appreciation to you, as well as your brothers and sisters in service. I'm sure we can all understand the true fact that every day you put your Badge and Gun on that you may not return to your families the following night or day. Thank you.

2d



7



**Jack Raymos Jr.** Never should have made it through the door but people are so worried about what society thinks he could not do what was best for all in the first place this world is going to hell

2d



**Spokane County Sheriff's Office**

March 23 at 3:57 PM · 🌐

...

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## News Release

CONTACT: Jared White  
Public Policy and Communications Manager  
Office: (509) 477-1111

[jwhite@spokanecounty.org](mailto:jwhite@spokanecounty.org)

IMMEDIATE RELEASE

### No Criminal Charges in December 2020 Officer Shooting

**SPOKANE COUNTY, March 23, 2021** – The Spokane County Prosecutor's Office has determined that Spokane County Detention Services Corrections Officer Sgt. Justin White was justified in his use of lethal force against Nancy J. King. While attempting to communicate with King, she pulled a knife on White and followed him into the jail lobby. As White attempted to back away from her, King ignored White's commands to drop the weapon.

At approximately 4:59pm on the afternoon of December 4, 2020, Spokane Police was dispatched to the Ramada Inn at 923 E. 3<sup>rd</sup> Ave., Spokane, on a report of a bomb threat against the Frontier Behavioral Health building at 505 E. North Foothills Dr. While Spokane Police were investigating the call, a second bomb threat was called in at 6:59pm to the Emergency Room at Deaconess Hospital in Spokane. Both calls were determined to have originated at the Ramada Inn, Room #101. The only registered guest at that room was Nancy J. King. In at least one of the calls, King identified herself as a terrorist. However, King would not open the door to investigating officers. King was seen entering the Inn by a Ramada employee at approximately 7:15pm on the same evening. Since there was a possible mental health issue, Spokane Police had earlier requested a Crisis Responder but the request was denied.

As investigators reviewed their options, at approximately 7:44pm on December 4, an individual later identified as Nancy King, entered the outer doors of the foyer of the Spokane County Detention Facility and demanded entry into the inside lobby, which was locked due to COVID restrictions. Despite being told that the lobby was closed,

(continued)

No Criminal Charges in December 2020 Officer Shooting (Continued)  
Page 2-2-2

King repeatedly demanded to be let inside and began to ring the buzzer. A Detention Facility cashier employee requested assistance from a Sergeant. Corrections Sgt. Justin White responded to speak with King.

As White neared the locked inner doors, he signaled to the cashier to unlock the door to facilitate a conversation between White and King. After a few seconds, King quickly produced a knife from her coat pocket and immediately raised it to within inches of White's face. White, who had been propping the automatic door open with his foot, immediately stepped backwards into the lobby to gain separation from King and the knife. King followed White inside the lobby and continued to advance towards him. White pulled his service weapon and demanded that King drop the knife as he continued to back away from King. King continuously held the knife high, directly at White, as she advanced.

White first backed up to the north and then, due to obstructions from furniture behind him, turned and backed towards the east away from King. King continued to close towards White with the knife drawn and pointed at him. White continued to order King to drop the knife. Just prior to falling over backwards on a bench chair that was behind him, White fired his service weapon at King who was only several feet from him, with the knife pointed directly at him at the time he fired.

Subsequent investigation showed King was armed with a large knife that was recovered at the scene. Video collected from the jail, along with an eyewitness account of the incident, clearly showed that Nancy King was armed and continued to threaten Sgt. White throughout the incident until shots were fired. King was declared deceased at the scene. The autopsy determined that King died of gunshot wounds. Toxicology tests

No Criminal Charges in December 2020 Officer Shooting (Continued)  
Page 3-3-3

Under these facts and circumstances, Sgt. White was justified in his use of deadly force. At the time of the application of deadly force, Sgt. White had an objective good faith belief in the correctness of his actions and that he was acting pursuant to RCW 9A.16.040. Therefore, no criminal charges will be filed against Sgt. White in this matter.

**About Spokane County**  
Spokane County government serves over half a million citizens and 18 municipal jurisdictions, making it the fourth-largest county in the State of Washington. For more information, visit [www.spokanecounty.org](http://www.spokanecounty.org), like us on Facebook, or follow us on Twitter.

--- 888 ---

75

40 Comments 4 Shares

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JD Leighty

Officer Justin White failed at so many levels at keeping our community safe. What are you going to do to address the fact that he allowed a secured location to become unsecured by having the security door opened? This alone should be reason for termination.

White also ignored all de-escalation training. He eliminated the advantage of time, distance, and cover due to his panicked actions. Because of this, he lost the ability to communicate effectively in order to de-escalate.

He allowed a person who was experiencing a mental health issue access to a secured area causing multiple people to be put in danger.

I would like to also know how you are going to address the fact that the uses of a mental health crisis team was denied.

Haskell might have decided that this was "justified" but there is no doubt mistakes were made and because of those mistakes a life was taken. This cannot be ignored.

Like · Reply · 3h



Carey James Justin

Plus this Sgt. Will have to live with this for the rest of his life. Sgt. White, let me express my greatest appreciation to you, as well as your brothers and sisters in service. I'm sure we can all understand the true fact that every day you put your B... See More

Like · Reply · 2d



# EXHIBIT 6

## TO DECLARATION OF JAMES LEIGHTY



gency

WA, United

9

See All Photos

See All Photos



See All Photos



See All Photos



See All Photos



See All Photos



See All Photos



See All Photos



Spokane County Sheriff's Office

October 6 at 12:54 PM · 🌐

...

Here's a video that the Greenfield Police Department in Wisconsin shared:

\*\*\* VIDEO CAUTION: This is graphic and shows an Officer shot, as well as, the suspect, who Greenfield Police Chief Jay Johnson described as a "dangerous felon". There IS adult/profane language used. Please be advised. \*\*\*

Notice the Officers do not just "open fire" and "murder people," as some activists and those in the national media want you to believe. They tell him multiple times to show ... [See more](#)



YOUTUBE.COM

Greenfield WI Officer Shot 08/22/21

Greenfield Police Share Video of Violent Shooting of Officer Followi...

👍😂👉 Keith Kleven and 145 others 86 Comments 18 Shares

👍 Like 💬 Comment ➦ Share

All Comments ▼

Write a comment... 🗨️ 📷 📺 📺 📺

**JD Leighty**  
Corporal Gregory has hidden my comment because it doesn't fit his narrative of all cops are heroes. I wonder if he understands that by hiding my comment, he has violated my constitutional rights. My guess is that he knows, but just doesn't care about constitutional rights unless they personally benefit him.

Like · Reply · 2w

**JD Leighty**  
"Bad cops should be held accountable, but they are the exception to the rule, despite the attempts of some who try to demonize, defund, reimagine or demoralize in any way they can even though they know the truth." - Corporal Gregory SCSO  
Here is the problem, you don't hold bad cops accountable. For instance, Deputy Wallace flat-out murdered Ethan Murray in the Spokane Valley on 5/4/2019. Wallace lied about what happened. IN DETAIL! Ethan was unarmed, had committed no crime, and was suffering from a mental disability. Wallace chased a scared, innocent, unarmed young man through the woods and fired multiple rounds through him. Then Wallace lied and said that Ethan had a knife. Wallace even described the knife in detail and said Ethan was coming at him with it. Later a knife was found. But an investigation found the knife was actually belonging to another deputy who claims that he must have "accidentally" dropped it at the crime scene. It turned out, there really was no weapon. No weapons were found except the one planted by one of your deputies! Other shocking evidence is the fact that the bullet wounds show that Ethan had his hands in the air, as if he was surrendering when Wallace shot him. Deputy Wallace was never charged with a crime and your pathetic County Prosecutor, Larry Haskell, rubber-stamped the murder as "justified". Interesting fact, Larry Haskell has never ruled any officer involved shooting as anything but "justified". In fact, in all the history of Spokane County, no prosecutor has ever ruled a officer involved shooting unjustified. So tell me again about how you hold bad cops accountable. This is the reason people don't trust you. If you ever did hold cops accountable for their actions, then maybe you wouldn't have to post propaganda like you did here. Also, it is pathetic that you push this idea that you are a hero. It is for the public to decide, not you.

Like · Reply · 2w · Edited

**David Brookbank**  
Am I correct that the SCSO is censoring JD Leighty's comments on this site by changing their setting to hide

# EXHIBIT 7

## TO DECLARATION OF JAMES LEIGHTY



Spokane County Sheriff's Office

October 6 at 12:54 PM · 🌐

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YOUTUBE.COM

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Greenfield Police Share Video of Violent Shooting of Officer Following are remarks from Green...

👍👎😬 146

86 Comments 18 Shares

👍 Like

💬 Comment

➦ Share

All Comments ▼



Write a comment...

😊 📷 📺 🎭



Amanda Vandenberghe

When I watch things like this I'm taken back to June 19, 2012 and I can only imagine not only what the officers in the video are experiencing but also what the other units driving there are going through and what the dispatchers are feeling on the othe... [See more](#)

Like · Reply · 3w · Edited

❤️ 1



Mary Hathaway

SO glad the officer is safe and recovering! Thank you to the officers who put themselves at risk to protect us.

Like · Reply · 3w

👍 1



Michelle Stapp Wittmier

Thank you for what yall do everyday. I pray for your safety and return home to your family after each shift. My support for you is never ending

Like · Reply · 3w

👍 1



Cami Hageman

# EXHIBIT 8

## TO DECLARATION OF JAMES LEIGHTY

## Spokane County Sheriff's Office's Post



10

9 comments

Like

Comment

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All comments ▼



JD Leighty

How is it that you already have an arrest? I thought investigations take time and the person suspected of the violence is not arrested until after a thorough, complete and unbiased investigation into the suspect's actions of the incident. Or at least that is what Sheriff Nowels said when it came to Deputy Clay Hilton.



Like Reply 51m



Ox Brat Homestead

See how you arrested this guy but not your own officer who comitted elder abuse, among other serious crimes?



Like Reply 1h



Brett Clark

Wow I'm surprised I would have bet that this crime was Sergeant Hilton's MO.



Like Reply 1h



Bob Salsbury

You might mention that based on RCW passed by Democratic Party legislators he can't be ORd or kicked on a bond on these charges.

Like Reply 31m



Anita Wooten Tallman

Thank you Spokane County Sheriff's Office

Like Reply 20m



Rob Ingles

Typical gays

Like Reply 1h



Write a comment...





## EXHIBIT 9

## TO DECLARATION OF JAMES LEIGHTY

## Spokane County Sheriff's Office's Post



10

9 comments

Like

Comment

Share

All comments ▼



**Ox Brat Homestead**

See how you arrested this guy but not your own officer who committed elder abuse, among other serious crimes?

Like Reply 1h

3



**Brett Clark**

Wow I'm surprised I would have bet that this crime was Sergeant Hilton's MO.

Like Reply 1h

4



**Anita Wooten Tallman**

Thank you Spokane County Sheriff's Office

Like Reply 19m



**Bob Salsbury**

You might mention that based on RCW passed by Democratic Party legislators he can't be OR'd or kicked on a bond on these charges.

Like Reply 30m



**Rob Ingles**

Typical gays

Like Reply 1h



Write a comment...



## EXHIBIT 10

## TO DECLARATION OF JAMES LEIGHTY

## Spokane County Sheriff's Office's Post



...ing, surveillance, and arrest on a more suspected of selling large amounts of illegal drugs, at times, within 1000' of the perimeter of a school ground. The suspect was booked into the Spokane County Jail on several felony charges with a sentencing enhancement for the Sc... See more



David Ellis  
Chief of Police

## Spokane Valley Police Department

Accredited Since 2011

Services provided in partnership with  
the Spokane County Sheriff's Office and the Community  
Dedicated to Your Safety



John F. Nowels  
Sheriff

## Spokane Valley Investigative Unit Detectives Recover Large Smorgasbord of Illegal Drugs and Cash

### Items Siezed

(Approximate Amounts)

4+ Xanax Pills  
\$3,760 U.S Currency  
7 Digital Scales  
4 Drug Ledgers  
Cargo Trailer

9.33 lbs. of Methamphetamine  
8,578 Fentanyl Pills  
59.4g Suspected Fentanyl Powder  
56.1g Heroin  
41.6g Psilocybin Mushrooms

Food Saver Sealer  
Mixing bowl w/Powder Residue  
Misc. Baggies for Packaging  
Mixing Spoons w/Residue  
1 Cell Phone & 2 Laptops



👍👀 22

2 comments 1 share

👍 Like

💬 Comment

➦ Share

All comments ▼



JD Leighty

How did you already arrest the suspect? According to Sheriff Nowels, you have to conduct a thorough, complete, and unbiased investigation into the suspect's actions and this incident before you can arrest them.

Can you explain how an arrest was already made?

Like Reply 1h



Jessica Raymos

I pray he doesnt just get let back out

Like Reply 49m



## EXHIBIT 11

## TO DECLARATION OF JAMES LEIGHTY

## Spokane County Sheriff's Office's Post



Spokane County Sheriff's Office

1h · 🌐



SVIU Detectives Nab Drug Dealing Suspect and Recover Large Smorgasbord of Illegal Drugs and Cash

Spokane Valley Investigative Unit (SVIU) Detectives, with the SWAT Team and Patrol Deputies assisting, serve search warrants and arrest an adult male suspected of selling large amounts of illegal drugs, at times, within 1000' of the perimeter of a school ground. The suspect was booked into the Spokane County Jail on several felony charges with a sentencing enhancement for the Sc... See more



David Ellis  
Chief of Police

Spokane Valley Police Department

Accredited Since 2011

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John F. Nowels  
Sheriff

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(Approximate Amounts)

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Mixing bowl w/Powder Residue  
Misc. Baggies for Packaging  
Mixing Spoons w/Residue  
1 Cell Phone & 2 Laptops



👍👎 22

2 comments 1 share

👍 Like

💬 Comment

🔗 Share

All comments ▼



Jessica Raymos

I pray he doesnt just get let back out

Like Reply 50m



Write a comment...



## EXHIBIT 12

## TO DECLARATION OF JAMES LEIGHTY



Anwar Peace and 50 others

35 comments 5 shares

Like

Comment

Share

All comments ▼



Write a comment...



**JD Leighty**

"now that the criminal investigation has been conducted, I ordered the Spokane County Sheriff's Office of Professional Standards to begin a comprehensive internal investigation to identify any and all policy violations and what changes or possible training is needed moving forward."

Now? Why weren't you doing an investigation already? It was obvious from the beginning that what Hilton did was wrong. And the other deputies that were there laughing with, and covering for Hilton should be investigated as well.

This incident revealed a horrible law enforcement culture within the Spokane County Sheriff's Office!

43m Like Reply



**Adam Shorter**

Assault, 2nd degree, that's it?? and it took you guys THAT long to draw that conclusion??? Wooooooooow  
Keep earning and deserving the hate

1d Like Reply

5



**Dale Toliver**

**Adam Shorter** I believe they are hiring. You look qualified Dragon Slayer, I'm sure you can show them a thing or two!

23h Like Reply

2



**Robert Gmeiner**

**Adam Shorter** That is the problem they never even charged him yet. They're forwarding it to the prosecutor and going to do an internal investigation before any of that takes place. It only takes one officer to charge me before I get arrested. So much fo... [See more](#)

20h Like Reply

2



**Robert Gmeiner**

Does the sheriff's department spend as much time to prove the innocence of civilians or only law enforcement officers. And does the sheriff's department believe there should be a higher burden of proof for an officer over a citizen.

1d Like Reply

9



Author

**Spokane County Sheriff's Office**

**Robert Gmeiner** not sure where you're getting any of that. This was investigated independently and referred to the prosecutor's office. We haven't tried to prove guilt or innocence, but we do believe in thorough and independent investigations.

1d Like Reply

9



## EXHIBIT 13

## TO DECLARATION OF JAMES LEIGHTY



51

35 comments 5 shares

Like

Comment

Share

All comments ▼



Write a comment...



**Adam Shorter**

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Keep earning and deserving the hate

1d Like Reply

5



**Dale Toliver**

**Adam Shorter** I believe they are hiring. You look qualified Dragon Slayer, I'm sure you can show them a thing or two!

23h Like Reply

2



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20h Like Reply

2



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1d Like Reply

9



Author

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1d Like Reply

9



**Robert Gmeiner**

**Spokane County Sheriff's Office** If I commit a crime, it takes one law enforcement officer to say I did it. I would be handcuffed taken to jail and my mugshot taken, fingerprinted. And then I go before a judge. You have to have an entire independent sys... [See more](#)

9

## EXHIBIT 14

## TO DECLARATION OF JAMES LEIGHTY

###

## Deputies Respond to Reported Shooting

Spokane County Sheriff's Deputies responded to a report of a shooting that occurred in the area of E. 57th Avenue and S. Palouse Highway.

Deputies are in the early stages of this investigation, and information is limited. However, they believe the people involved have been contacted and that this incident does not pose an ongoing threat to the public.

The initial information indicates an adult male was shot in the leg during an argument. He was transported to the hospital for additional treatment for what is believed to be a non-life-threatening injury.

No further information is available at this time.

###



77

11 comments 4 shares

Like

Comment

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Most relevant ▼



Write a comment...



JD Leighty

How is it that on March 20, 2024, at approximately 9:40 am, Spokane County Sheriff's Deputies responded to a reported domestic violence incident and you already have an arrest and a report that is released, but it took you 18 months to finish the investigation of Officers Johnson and Walker killing Robert Bradley?

Why did it take you 6 months after the beating of Mr. Hinton by Deputy Hilton to decide to order the Spokane County Sheriff's Office of Professional Standards to begin a comprehensive internal investigation to identify any and all policy violations and what changes or possible training is needed to prevent this from happening again?

1m Like Reply



Heidi Johnson

Wow I guess his story didn't add up. Great work SCSO!!! Happy the victim survived.

2h Like Reply

2



Shelly Humbert

Great job LEOs! Was he ROR or is the judge ACTUALLY keeping him locked up and protecting his ex?



## EXHIBIT 15

## TO DECLARATION OF JAMES LEIGHTY



81

11 comments 5 shares

Like

Comment

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All comments ▼



Write a comment...



Heidi Johnson

Wow I guess his story didn't add up. Great work SCSO!!! Happy the victim survived.

3h Like Reply

2



Shelly Humbert

Great job LEOs! Was he ROR or is the judge ACTUALLY keeping him locked up and protecting his ex?

3h Like Reply

2



Jerry Patterson

And that... is a real time education 🙏

2h Like Reply

3



Randy Dale

Good work SCSO!

1h Like Reply

1



Marsha Robertson

Thank you

2h Like Reply



Jim Scholz

A great job once again.

3h Like Reply

2



Muriel Tingley-Turner

Thank you so much! Praying for you all

2h Like Reply



Cari Leander

He'll be out of jail in a few hours 🙏

3h Like Reply



Heather Swope

It could have been so different, thank goodness we have good people working for our safety. ❤️❤️❤️❤️❤️

56m Like Reply

1



Alex Price

Laura Price

2h Like Reply

## EXHIBIT 16

## TO DECLARATION OF JAMES LEIGHTY



Spokane County Sheriff's Office

13h · 🔒

...

Update: Gary Ault Sentenced to Life without Parole

Today, after having been found guilty of Aggravated Premeditated Murder 1st Degree, Theft of a Firearm, and Unlawful Possession of a Firearm 1st Degree, Gary B. Ault was sentenced to Life without the Possibility of Parole for the premeditated murder of Richard Purdy on December 26, 2022. Ault is a multi-time convicted felon.

The trial and sentencing occurred in Spokane County Superior Court, with Superior Court Judge R. Anderson presiding.

The case was prosecuted by Spokane County Deputy Prosecuting Attorney D. Nagy and Deputy Prosecuting Attorney G. Kristianson.

The Spokane County Major Crimes Unit conducted the investigation, with Major Crimes Detective S. Bonney as the lead investigator.

###

Information Sent January 10, 2023:

UPDATE: Detectives Identify and Charge Deer Park Homicide Suspect with Murder 1st Degree, Burglary 1st Degree

Spokane County Sheriff's Office Major Crime Detectives continued their investigation and developed probable cause to charge 37-year-old Gary B. Ault with Murder 1st Degree and Burglary 1st Degree in the death of 83-year-old Richard Purdy on December 26, 2022.

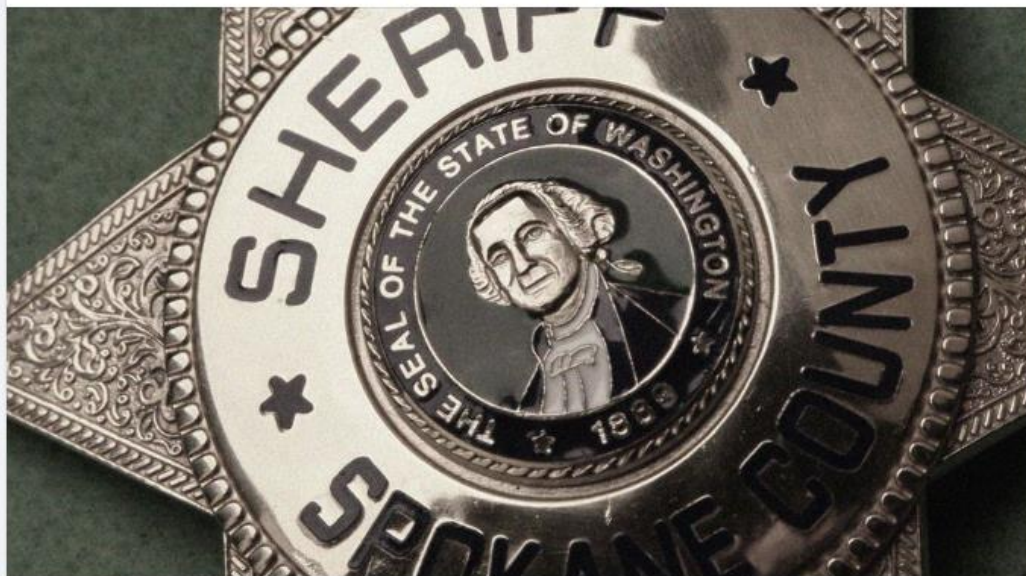
Detectives and Forensic Unit personnel remained at the victim's residence for several hours as they processed the scene for evidence once a search warrant was obtained.

On December 28, 2022, Spokane County Medical Examiner's Office identified the victim as 83-year-old Richard Purdy, listing his Cause of Death as Sharp and Blunt Force Injuries, Manner: Homicide.

During the testing of evidence recovered at the scene, Detectives linked a DNA profile to the suspect, 37-year-old Gary B. Ault, through a Combined DNA Index System (CODIS) search. The Washington State Crime Lab conducted the DNA testing.

Investigators worked with SPD Major Crimes Detectives after they learned Ault was already in custody at the Spokane County Jail on separate charges brought by the Spokane Police Department on December 27, 2022. These charges stem from three unrelated, unprovoked, violent assaults of five victims. For the SPD charges of Assault 1st Degree, Assault 2nd Degree, Assault 3rd Degree, and Unlawful Possession of a Firearm 1st Degree, his bond was set at \$175,000.

Ault is a multi-time convicted felon including, but not limited to, charges of Burglary, Theft, Identity Theft, Possession of a Stolen Motor Vehicle, and Escape.



Earnings upcoming

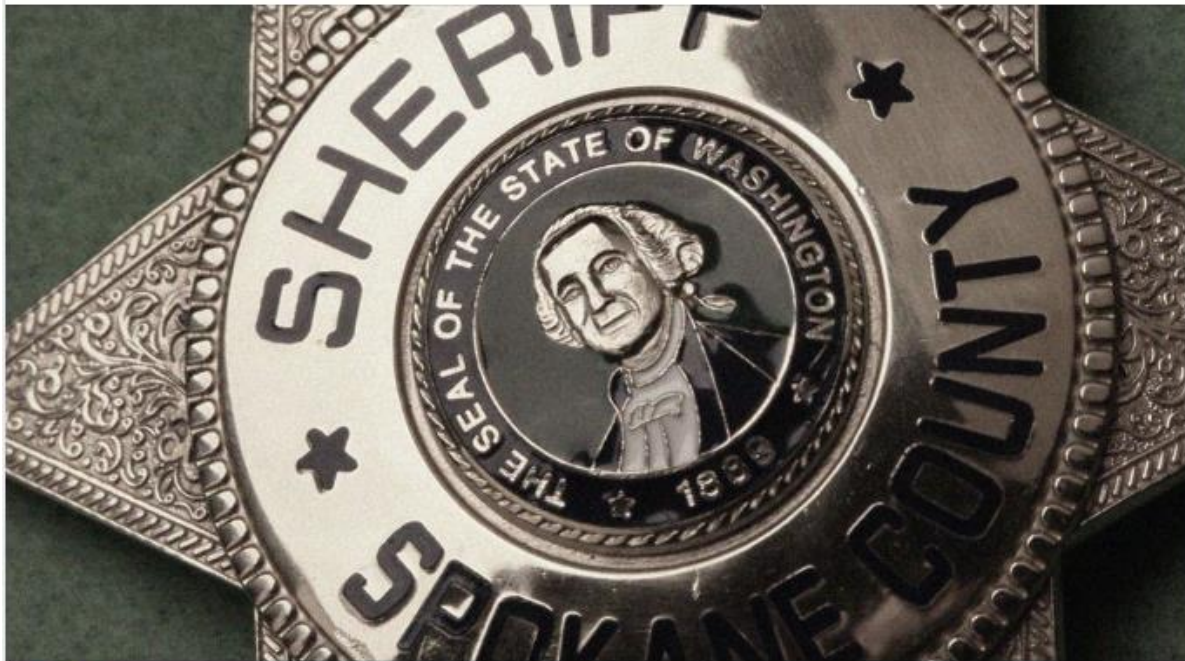


6:05 AM  
5/9/2024





Ault is a multi-time convicted felon including, but not limited to, charges of Burglary, Theft, Identity Theft, Possession of a Stolen Motor Vehicle, and Escape.



160

29 comments 14 shares

Like

Comment

Share

All comments ▼



Write a comment...



JD Leighty

When will your deputy be charged with aggravated assault on the elderly man that he pulled out of the car and beat for resting in a park parking lot after driving a long ways?

10h Like Reply

3



Geri Purdy White

JD Leighty What does this have to do with my fathers murderer?

10h Like Reply

2



JD Leighty

Geri Purdy White, nothing to take away from your grief. I just ask the sheriff to have the same due diligence with crimes committed by his own deputies. We have seen his deputies kill and beat innocent unarmed people and they get away with it. I ask for the same effort and honesty they put forth capturing and punishing your father's killer.

My heart goes out to you and your family.

## EXHIBIT 17

## TO DECLARATION OF JAMES LEIGHTY





Spokane County Sheriff's Office

13h · 🔒

...

Update: Gary Ault Sentenced to Life without Parole

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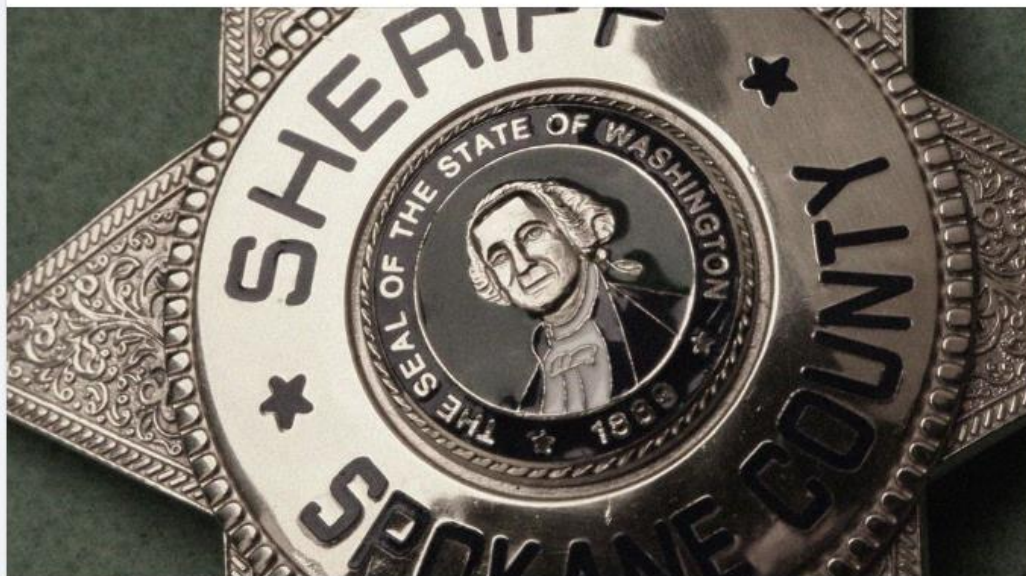
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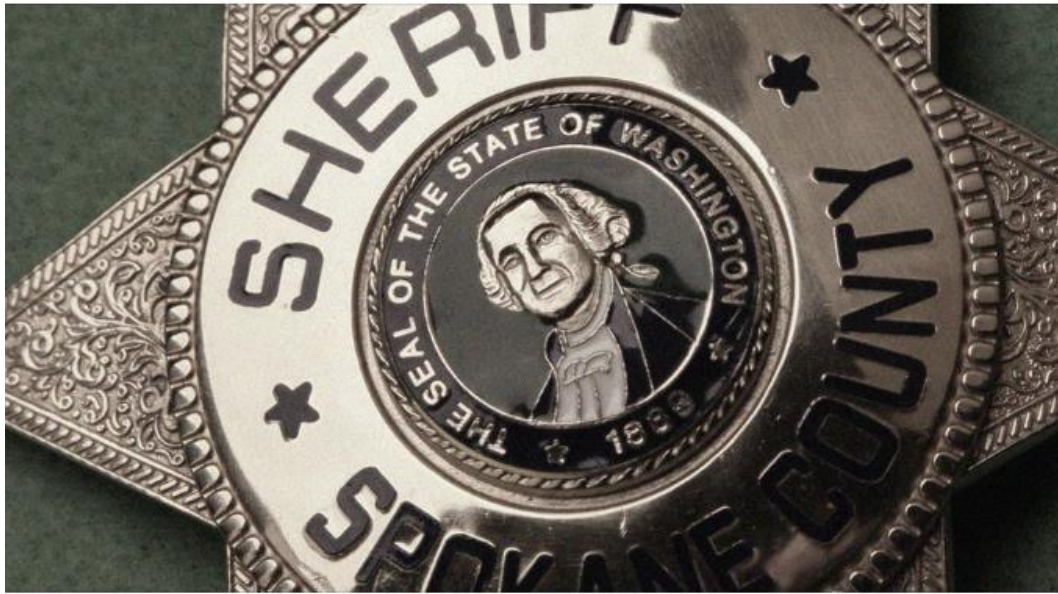
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Earnings upcoming

6:05 AM  
5/9/2024

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159

29 comments 14 shares

Like

Comment

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All comments ▼



Write a comment...



Renee Purdy

Thank you so much to Scott Bonney, Geoff Christianson and Mr. Nagy for your dogged work to put an end to this nightmare. I can never say thank you enough. Thank you to the SPD for running his DNA. You can't argue with those facts.....

10h Like Reply

16



Britney Inglis

Renee Purdy keep in mind Geoff is the reason many of these people are on the street. The Blake decision (legalization of hard drugs) was caused his bad actions. Glad he did well on this one though. Prayers to your family, this must have been a very difficult trial

9h Like Reply



Alexa Jean

Great job guys, it's about time the system worked for you instead of against you. 🙏

12h Like Reply

7



Geri Purdy White

And he had the nerve to state that he is not evil, is a God fearing man and is not guilty. No explanation as to why his DNA was under my fathers fingernails.

9h Like Reply

2



Meghan Lo

Good job Judge R Anderson!

13h Like Reply

6